

Glenmary Pointe

Variance Justification

Section 5.3.2

The proposed variance is to eliminate the residential to non residential setback on Tracts 2, 3 and 4 on the Revised Detailed District Development Plan. The variance primarily concerns the creation of lot lines that cross parking areas that will be subject to a shared access and parking agreement.

The variance will not adversely affect the public health, safety or welfare as it will allow for certain lots to be created for financing and conveyance purposes in order to create a mixed use development containing medical office, general office and apartments. The office buildings are all already constructed.

The variance will not alter the essential character of the general vicinity. The variances relate to lot lines to be created in the interior of the development, which lines will not be apparent to those off site.

The variance will not cause a hazard or nuisance to the public. The lots will not be apparent from off-site, and the revision to the development plan will allow for this project to progress as a mixed use development, replacing a pure office project that has had some difficulty.

The variance will not allow an unreasonable circumvention of the requirements of the zoning regulation. The lot lines surrounding the office buildings are not going to be physically marked, as they are within an area of shared access and parking.

The variance arises from special circumstances not generally applicable to other properties in the area. The Old Bardstown Professional Park is a project that has faced significant difficulty and is now being modified into a mixed use project with office and residential sharing the overall site. The fact that this project is being redesigned and developed as mixed use is a special circumstance.

The strict application of the regulation would create an unnecessary hardship on the applicant, as the applicant would be forced to erect buffers where none exist to address differences in use that the plan is being redesigned to accommodate.

The circumstances are the result of the applicant's desire to redesign and redevelop the Old Bardstown Road Professional Park into Glenmary Pointe, a mixed use project. The regulations in question anticipate separate development sites with buffers between. The Glenmary Pointe proposal is to have multiple uses on one development site, with lots created to allow for different ownership of the office buildings.

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